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- 12-12. Section 5(a)(2) Significant New Use Rules

12-12. Section 5(a)(2) Significant New Use Rules

1200 TN 505
04/07/2000

1. **AUTHORITY.** To promulgate Significant New Use Rules (SNURs) (including Notices of Proposed Rulemaking and Notices of Final Rulemaking), pursuant to Section 5(a)(2) of the Toxic Substances Control Act (TSCA).
2. **TO WHOM DELEGATED.** Assistant Administrator for Prevention, Pesticides, and Toxic Substances (AA/OPPTS).
3. **LIMITATIONS.**
 - a. This authority is limited to signature of Section 5(a)(2) FEDERAL REGISTER notices which have received all requisite concurrences within OPPTS (as determined by the AA/OPPTS), and requisite concurrences from the Office of the General Counsel (OGC) and the Office of Policy, Economics, and Innovation (OPEI). If OPPTS is unable to resolve issues raised by OGC and/or OPEI, signature authority will revert to the Administrator or the Deputy Administrator.
 - b. For Section 5(a)(2) regulations which qualify as "minor" rules according to current EPA guidelines, this authority is limited to FEDERAL REGISTER notices which have been concurred upon by offices outside of OPPTS that have specifically requested an opportunity to (1) participate in the workgroup for the rule and (2) concur/ nonconcur on the rule. If OPPTS is unable to resolve issues raised by these offices, signature authority will revert to the Administrator or the Deputy Administrator.
 - c. For Section 5(a)(2) regulations which qualify as "significant" rules according to current EPA guidelines, this authority is limited to FEDERAL REGISTER notices which have been concurred upon by offices outside of OPPTS which have chosen to participate in the workgroup for the rule. If OPPTS is unable to resolve issues raised by these offices, signature authority will revert to the Administrator or the Deputy Administrator.
 - d. For Section 5(a)(2) regulations that apply to chemical substances that are subject to Section 5(e) orders, OPPTS shall provide all offices represented on the inter-office workgroup which reviewed the preceding Section 5(e) order with an opportunity to participate on the workgroup for the rule.
4. **REDELEGATION AUTHORITY.** This authority may be redelegated to the Office

Director, Office of Pollution Prevention and Toxics (OD/OPPT). This authority may be redelegated further by the OD/OPPT to the OPPT Division Director level, or equivalent, and no further.

5. **ADDITIONAL REFERENCES.** None.



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